



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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September 27, 2012

Mr. Thomas Bauhs
Chevron Environmental Management Company
6101 Bollinger Canyon Road
San Ramon, Ca 94583

Re: Notice of Potential Liability under the Model Toxics Control Act for the Release of Hazardous Substances at the Following Hazardous Waste Site:

- Name: Boeing Field Chevron
- Address: 10805 East Marginal Way South, Tukwila, WA
- County Assessor's Parcel Number(s): 0323049064
- Facility/Site No.: 2551

Dear Mr. Bauhs:

Under the Model Toxics Control Act (MTCA), chapter 70.105D RCW, which governs the cleanup of hazardous waste sites in Washington State, the Department of Ecology (Ecology) may identify persons that it finds are liable for the release of hazardous substances at a site. Before making such a finding, Ecology must provide persons with notice and an opportunity to comment on the proposed finding. Any person whom Ecology finds, based on credible evidence, to be liable is known as a "potentially liable person" or "PLP".

Proposed Finding of Liability

Based on credible evidence, Ecology is proposing to find Chevron Environmental Management Company liable under RCW 70.105D.040 for the release of hazardous substances at the Boeing Field Chevron facility (Site). This proposed finding is based on the following evidence:

1. Chevron Environmental Management Company/Chevron USA Inc. was a previous leasee of the property and where Chevron has operated through its sublease dealer and retail service station on this Property;
2. Letter dated August 2, 1991, by Law Offices of Casey & Pruzan refers to the Environmental Agreement dated March 15, 1990, for the investigation, monitoring, and/or cleanup of the motor fuel hydrocarbon contamination of the Usher/Traverso property;
3. Three underground storage tanks (USTs) found and removed while removing petroleum contaminated soils per Summary of Remedial Activities report by RZA & Associates, May 23, 1990;
4. Subsurface Characterization & Remediation Report for Chevron USA Inc. by RZA, August 1990;



5. Chevron Service Station formerly occupied the Site. Site consisted of three pump islands, a cluster of tanks (eight total tanks removed) and a service station building. These structures have been removed from the Site, per Summary of Work to date, prepared for Chevron USA Inc, by Hart Crowser, December 27, 1990;
6. Seven ground water monitoring wells sampled January 1991, GW Chemical Testing Results for Chevron USA Inc, March 25, 1991;
7. March 1991, GW Chemical Testing Results for Chevron USA Inc by Hart Crowser, June 27, 1991;
8. One waste oil tank and one diesel tank removed September 1991, per UST Removal & Closure report for Chevron USA Inc by Hart Crowser, November 30, 1992;
9. Site Assessment & Remediation Report-Soils for Chevron USA by Hart Crowser, March 2, 1993;
10. Addendum to Tank Closure Report (November 30, 1992) for Chevron USA by Hart Crowser, March 2, 1993;
11. Chevron service station was decommissioned in mid-1980s. Since that time all known structures, facilities, and tanks have been removed. Site is currently paved & fenced, per Site Assessment & Remediation Report-GW for Chevron USA Inc by Hart Crowser, April 7, 1993;
12. Quarterly GW monitoring results, April 1993, for Chevron USA by Hart Crowser, May 4, 1993;
13. Quarterly GW monitoring results, June 1993, for Chevron USA by Hart Crowser, August 2, 1993;
14. Semi-Annual GW monitoring results, June 1994, for Chevron USA by Hart Crowser, July 13, 1994;
15. Chevron USA opting to participate in the IRAP program and is requesting a No Further Action (NFA) determination;
16. Semi-Annual GW monitoring results, December 1994, for Chevron USA by Hart Crowser, January 3, 1995;
17. ERTS # N19854 called in on July 19, 1995. Chevron applied for IRAP review of this remediation project. A total of ten tanks were removed from the Site. 2,550 cubic yards of petroleum contaminated soils were excavated and treated on site. An Interim soils only letter issued thru IRAP from Ecology on 03/29/95. Chevron still needs to address groundwater issues;
18. Quarterly GW monitoring results, September 1995, for Chevron USA by Pacific Environmental Group Inc., November 2, 1995;
19. Quarterly GW monitoring results, March 1996, for Chevron USA by Pacific Environmental Group Inc., April 24, 1996;
20. Environmental Investigation-Undocumented UST report for Chevron USA by Pacific Environmental Group, March 4, 1997. One 280-gal steel tank encountered & removed on July 26, 1996, during grading activities for new tank excavation and car wash. Tank was punctured in the top with a backhoe which exposed approx. 1" of liquid inside. Soils remain above MTCA A for TPH-Diesel and Oil (2nd release for Site);

21. Environmental Assessment for Chevron USA by Pacific Environmental Group, December 4, 1997. Purpose to install replacement groundwater monitoring wells which had been destroyed during construction activities at the Site;
22. Quarterly GW monitoring results, March 1998, for Chevron USA by Pacific Environmental Group, June 10, 1998;
23. Quarterly GW monitoring results, June 1998, for Chevron USA by Pacific Environmental Group, July 31, 1998. The service station was rebuilt in July of 1996, and is presently operated by an independent dealer supplied to Chevron;
24. Quarterly GW monitoring results, September 1998, for Chevron USA by Pacific Environmental Group, October 22, 1998;
25. 4th Qtr. 1998 (November 1998) GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., January 11, 1999;
26. 2nd Qtr. 1998 (May 1999) GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., July 12, 1999;
27. 3rd Qtr. 1999 (September 1999) GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., September 28, 1999;
28. 4th Qtr. 1999 (November 1999) GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., January 1, 2000;
29. October 2000 GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., December 8, 2000;
30. December 2000, GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., January 26, 2001;
31. March 2001, GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., April 19, 2001;
32. June/Sept./Nov. 2001, GW monitoring report for Chevron Products Co. by Gettler-Ryan Inc., January 10, 2001;
33. Feb./May/Nov. 2002, GW monitoring report for Chevron Products Co, by Gettler-Ryan Inc., January 2, 2003;
34. ERTS # 534262 called in on May 30, 2003, by SAIC. Caller is contractor for Chevron/Texaco, was doing monitoring at the Site that has a historic release and noticed a new release. She spoke with the privately owned Site owner who said they were going to report the release. Please call her to let her know if it has been reported and if you need additional info (3rd release LUST listed); and
35. Additional reports in file.

Opportunity to Respond to Proposed Finding of Liability

In response to Ecology's proposed finding of liability, you may either:

1. Accept your status as a PLP without admitting liability and expedite the process through a voluntary waiver of your right to comment. This may be accomplished by signing and returning the enclosed form or by sending a letter containing similar information to Ecology;

2. Challenge your status as a PLP by submitting written comments to Ecology within thirty (30) calendar days of the date you receive this letter; or
3. Choose not to comment on your status as a PLP.

Please submit your waiver or written comments to the following address:

Carrie Pederson
NWRO Toxics Cleanup Program
3190 160th Avenue SE
Bellevue, WA 98008-5452

After reviewing any comments submitted or after 30 days if no response has been received, Ecology will make a final determination regarding your status as a PLP and provide you with written notice of that determination.

Identification of Other Potentially Liable Persons

Ecology HAS NOTIFIED the following additional person that they ARE potentially liable for the release of hazardous substances at the Site:

Mr. Rajbir Sandhu
Boeing Field Chevron
10805 East Marginal Way South
Tukwila, WA 98168

If you are aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

Responsibility and Scope of Potential Liability

Please note that Ecology may either conduct or require PLPs to conduct remedial actions to investigate and clean up the release of hazardous substances at a site. PLPs are encouraged to initiate discussions and negotiations with Ecology and the Office of the Attorney General that may lead to an agreement on the remedial action to be conducted.

Please also note that each liable person is strictly liable, jointly and severally, for all remedial action costs and for all natural resource damages resulting from the release of hazardous substances at a site. If Ecology incurs remedial action costs in connection with the investigation or cleanup of real property and those costs are not reimbursed, then Ecology has the authority under RCW 70.105D.055 to file a lien against that real property to recover those costs.

Next Steps in Cleanup Process

In response to the release of hazardous substances at the Site, Ecology intends to conduct the following actions under MTCA:

1. Require the Site be fully characterized by conducting a Remedial Investigation (RI) and immediate removal of Free Product to the maximum extent practicable;

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2. Conducting a Feasibility Study (FS);
3. Conducting a Draft Cleanup Action Plan (dCAP);
4. Implement the Cleanup Action Plan;
5. Give Ecology a Site schedule and cleanup timeline. This includes, but not limited to, the following phases: Site characterization (RI), feasibility study, cleanup action plan, system(s) installation, active remediation, groundwater monitoring and confirmation borings.

For a description of the process for cleaning up a hazardous waste site under MTCA, please refer to the enclosed fact sheet.

Ecology's policy is to work cooperatively with PLPs to accomplish the prompt and effective cleanup of hazardous waste sites. Please note that your cooperation in planning or conducting remedial actions at the Site is not an admission of guilt or liability.

Contact Information

If you have any questions regarding this letter or if you would like additional information regarding the cleanup of hazardous waste sites, please call me at (425) 649-7038. Thank you for your cooperation.

Sincerely,



Russell E. Olsen, MPA
Voluntary Cleanup Program Unit Supervisor
Toxics Cleanup Program

Enclosures: Voluntary Waiver of Right to Comment Form
Remedial Investigation (RI) Checklist
Feasibility Checklist (FS) Checklist

By certified mail: 7011 0470 0003 3819 6451

cc: Ms. Olivia Skance, Chevron Environmental Management Company

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MR THOMAS BAUHS
CHEVRON ENVIRONMENTAL MANAGEMENT CO
6101 BOLLINGER CANYON ROAD
SAN RAMON CA 94583

PS Form 3800, August 2006 See Reverse for Instructions

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